

**ELEVENTH DAY**

(Wednesday, October 30, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent—Excused

Bracewell

A quorum was announced present.

Reverend Marvin Vance, pastor of the First Methodist Church of Austin, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leave of Absence**

Senator Bracewell was granted leave of absence for today on account of illness on motion of Senator Phillips.

**Senate Resolution 77**

Senator Herring offered the following resolution:

Whereas, The people of the State of Texas wish to acknowledge the debt they owe to the following distinguished members of the faculty of the University of Texas who have retired after many decades of devoted service:

Dr. Robert A. Law, Shakespearean scholar and professor of English for fifty-one years,

Dr. Caleb Perry Patterson, professor of government and writer on historical and political subjects.

Dr. A. B. Cox, founder and first director of the University of Texas Bureau of Business Research,

Dr. Frederick Eby, history and education professor and the father of Texas' junior college system,

Dr. Henry Gordon Damon, nationally known professor of geology,

Dr. B. F. Pittenger, dean of the College of Education from 1926 to 1947, and a graduate professor of educational administration,

Dr. W. F. Gidley, professor of pharmacy and dean of the College of Pharmacy from 1924 to 1947,

Dr. E. H. Sellards, director of the Texas Memorial Museum, geology professor and director emeritus of the Bureau of Economic Geology,

Dr. T. H. Shelby, dean emeritus of the Division of Extension,

Professor Minnie Lee Shepard, devoted teacher of Latin,

Professor Nina L. Weisinger, professor of Spanish since 1913, and writer of textbooks on Spanish-American authors; and

Whereas, These eleven distinguished scholars have been a source of inspiration to the many thousands of students who have come under their influence and have been greatly enriched by that association; and

Whereas, The State and Nation have derived immeasurable benefits from the many years of dedicated services of these devoted educators; now, therefore, be it

Resolved, That it is the desire of the Senate of the Special Session of the Fifty-fifth Legislature to honor these outstanding men and women; and be it further

Resolved, That when the Senate adjourns today, it do so in their honor and that a page in the permanent Senate Journal be devoted to the recording of this Resolution; and be it further

Resolved, That an enrolled copy of this resolution be sent to each of these learned faculty members as a token of deep appreciation for the services they have rendered.

The resolution was read and was adopted.

**Senate Resolution 78**

Senator Reagan offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the

Civics Classes of Roy Miller High School, Corpus Christi, Texas, accompanied by their teachers, Mr. Spruce Keen, Mr. Ed Sluder, and Mr. Sandlin; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Reagan by unanimous consent presented the students and teachers to the Members of the Senate.

#### Senate Resolution 79

Senator Ashley offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. Jack Hyde, Mrs. W. E. Allen, Mrs. Farrell Brooks, Mrs. Bill Wright and Mrs. Jack Denmon, all from Junction, Texas, all of whom are recognized as religious and civic leaders in their area; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

ASHLEY  
COLSON

The resolution was read and was adopted.

Senator Ashley by unanimous consent presented the guests to the Members of the Senate.

#### Report of Standing Committee

Senator Parkhouse submitted the following report:

Austin, Texas,  
October 30, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 1, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute for Senate Bill 1 do pass and be printed.

PARKHOUSE, Chairman.

C. S. S. B. No. 1 was read first time.

#### Presentation of Guests

Senator Secrest by unanimous consent presented Mr. and Mrs. Victor T. Newman of Waco to the Members of the Senate.

#### Senate Resolution 80

Senator Hardeman offered the following resolution:

Whereas, Honorable Frank L. Moffett of Chillicothe, Texas, the father of our colleague, Senator George Moffett, was born on October 31st, 1860; and

Whereas, The said Frank L. Moffett who will observe his 97th birthday on Thursday, October 31st, 1957, is deeply interested in public and governmental affairs and maintains daily contact through the newspapers, radio and television with current events and more particularly current discussion of political questions; and

Whereas, Frank L. Moffett is a native Texan and in early manhood spent eleven years traveling and prospecting in twelve western states and territory of Alaska, returning to Texas in 1888 where he became one of the pioneer settlers of Hardeman County, engaging in agricultural and business pursuits, and later serving that County for twelve years as a County Commissioner; now, therefore, be it

Resolved, That the Senate of the 55th Texas Legislature extends its felicitations and best wishes to Honorable Frank L. Moffett of Chillicothe, Texas, upon his 97th birthday, and that the Secretary of the Senate be directed to send an official copy of this resolution to the said Frank L. Moffett, under the seal of the Senate.

HARDEMAN  
AIKIN

Signed—Ben Ramsey, Lieutenant Governor; Ashley, Bracewell, Brad-

shaw, Colson, Fly, Fuller, Gonzalez, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Parkhouse and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

#### Senate Resolution 81

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. F. E. (Red) Hightower and Mr. Mark Cooper, both of San Angelo; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Hardeman by unanimous consent presented the guests to the Members of the Senate.

#### Senate Resolution 82

Senator Parkhouse offered the following resolution:

Whereas, Miss Margaret Mayer, staff writer for the Dallas Times Herald, Odessa (Texas) American, San Angelo Standard Times, Abilene Reporter-News, and the Amarillo Daily News and Globe, has recently completed an extensive tour through Europe and Russia; and

Whereas, Miss Mayer spent eighteen days traveling through as much of Russia as was permissible; and

Whereas, Miss Mayer was able to meet and to talk to the working people in many cities and towns in Russia and to bring back to the people, fortunate enough to be covered by these newspapers, stories that are uncensored and reveal the conditions in Russia in a most realistic manner; now, therefore, be it

Resolved, That the Senate of Texas

take cognizance of these articles by Miss Mayer and commend her and these five newspapers for sending her to Russia to bring back these thirteen most interesting stories about life behind the Iron Curtain so that the people in these areas could be better informed about the people of Russia.

PARKHOUSE  
HARDEMAN  
OWEN  
RATLIFF  
HAZLEWOOD

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Bradshaw, Colson, Fly, Fuller, Gonzalez, Herring, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Phillips, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Hudson and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

#### Senate Concurrent Resolution 4

Senator Parkhouse offered the following resolution:

S. C. R. No. 4, Memorializing Congress to propose amendment to Constitution relative to business, taxes, etc.

Be it resolved by the Senate of the First Called Session of the Fifty-fifth Legislature of the State of Texas, the House of Representatives concurring, That we respectfully request the Congress of the United States to propose to the people an amendment to the Constitution of the United States, or to call a convention for such purpose as provided by Article V of the Constitution an article providing as follows:

#### "ARTICLE —

"Section 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

"Section 2. The Constitution or laws of any State, or the laws of the United States shall not be subject to the terms of any foreign or domestic

agreement which would abrogate this amendment.

"Section 3. The activities of the United States Government which violate the intent and purposes of this amendment shall, within a period of three years from the date of ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"Section 4. Three years after the ratification of this amendment the sixteenth article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts."

Resolved further: That a certified copy of this resolution be forwarded by the Secretary of State to the President of the United States Senate, the Speaker of the House of Representatives, and to each member of Congress from the State of Texas.

The resolution was read and was

referred to the Committee on State Affairs.

**Committee Substitute Senate Bill 1  
Ordered Not Printed**

On motion of Senator Parkhouse and by unanimous consent C. S. S. B. No. 1 was ordered not printed.

**House Concurrent Resolutions on  
First Reading**

The following resolutions received from the House were read first time and referred to the committees indicated:

H. C. R. No. 3, To the Committee on State Affairs.

H. C. R. No. 16, To the Committee on State Affairs.

**Adjournment**

On motion of Senator Hardeman the Senate at 10:55 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

## In Memory of Charles Horace Spence

Senator Aikin offered the following resolution:

(Senate Resolution 76)

Whereas, On September 19, 1957, the State of Texas lost one of its most prominent ministers and educators when the Honorable Charles Horace Spence was called to his Heavenly Reward; and

Whereas, Mr. Spence was a Spanish American War veteran, serving in Cuba with the Fourth Regiment Volunteers from Illinois and was separated from the service with excellence noted on his record. During the First World War, he served as a Minute Man; and

Whereas, He came to Texas in 1899 and was employed by the railroad at Sherman, Texas. While there, he entered Austin College and graduated with honors. He was noted for his singing and was soloist for the Glee Club. He worked his way through the Seminary at Austin and was ordained a Presbyterian minister; and

Whereas, His first pastorate was at Yorktown, Texas, where he met and married Myrtle Amy Hoff, a member of a Texas pioneer family, in August, 1910, and four children were born to this union, all of whom survive. They are Dr. C. H. Spence, Jr., of Raymondville, Dr. J. H. Spence of Tyler, Mrs. James K. Nance of Houston, and Mr. Ralph Spence of Tyler. He had 14 grandchildren; and

Whereas, In addition to his church work, Mr. Spence was always interested in civic work, having organized the first Chamber of Commerce in Yorktown, and was its first president, and having organized the first Boy Scouts' Troop and coached the high school football team for several years in Yorktown. He was also pastor of churches in Lancaster, Houston, and Edna; and

Whereas, Mr. Spence was a man of many talents and capacities, and when Edna needed a superintendent of schools, he served as school head, as well as the minister of the church. From Edna he moved to Hebbbronville to be the superintendent of the school for a four year period before moving to Austin where he became associated with the State Department of Education, having served as Executive Secretary of the Equalization Division. Mr. Spence held a Master's Degree from the University of Texas, and after reaching retirement age, he became editor of the Texas Educational News Service, which furnishes news materials to the public schools throughout the State of Texas. He published this paper for eight years, until July, 1956, when he moved to Raymondville to be the business manager of his son's hospital and clinic; and

Whereas, Mr. Spence was always active in Rotary International, having been twice president of Rotary in Edna, also president in Hebbbronville, and while there organized Rotary Clubs in four other cities in one year. He was also active in the Rotary Club at Raymondville; and

Whereas, He was listed for his church, school, and civic work in Who's Who in Texas, and all his life he never left his ministry because he was called to preach throughout Texas and was a noted baccalaureate speaker; and

Whereas, Mr. Paul Schmidt, Editor of the DeWitt County View, and a long-time friend of Mr. Spence, paid the following tribute to him, "A master of words, versed in a wide range of subjects, and possessed of great oratorical ability, he was speaker at many functions during his long career, and his services were in demand in many other capacities. A friend and an inspiration to the youth, he advocated the American Way of Life and contributed many chapters on better living and a higher standard of morality in his illustrious book of life. His was a life of service and devotion to the betterment of mankind"; now, therefore, be it

Resolved, That in the passing of Mr. Charles Horace Spence, the Senate of Texas mourns the loss of a great citizen and an outstanding leader of the State of Texas; that as a tribute to his memory this Resolution be adopted by the Senate and printed in its Journal; and that when we adjourn today, we do so in his honor; and, be it further

Resolved, That copies of this Resolution be sent to the members of his family as an expression of our sympathy.

AIKIN  
COLSON

The resolution was read and was adopted by a rising vote of the Senate.